

*William L. Zawila*  
ATTORNEY AT LAW

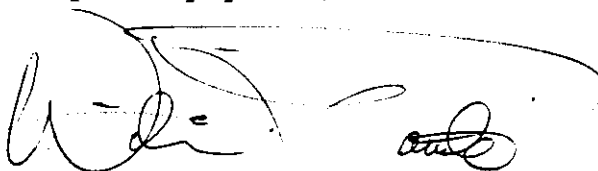
12550 BROOKHURST STREET  
GARDEN GROVE, CALIFORNIA 92640  
(714) 636-5040

This effort is starting to yield some beneficial results as we have obtained some information through this means. We anticipate obtaining additional essential information through this same effort. Additional time is needed to further deal with the complexity of the problems presented by the demise of two of KKFO(AM)'s former attorneys. We are continuing to work on this complex matter which involves a wide range of diverse issues covering an extended period of time as presented by the Commission's letter. The age of some of the information and documentation required in this matter which dates back almost 20 years has contributed significantly to the difficulty of this matter. Further, beyond the matter of deceased counsel and the myriad problems attendant thereto as mentioned above, we are still awaiting the arrival of additional information and documents from third parties which are essential to properly respond to the Commission's letter which inquires into almost 20 years of KKFO(AM)'s history.

Based on the points outlined above, we respectfully request an additional twenty (20) days through December 21, 2002, to further respond to the Commission's above-referenced letter.

Thank you for your consideration of this matter. We are submitting this letter in triplicate.

Very truly yours,



WILLIAM L. ZAWILA  
Attorney For Western  
Pacific Broadcasting,  
Inc.

WLZ/jc

## **Attachment 24**

DALE E. BACIGALUPI  
PROFESSIONAL LAW CORPORATION  
Dale E. Bacigalupi #097197  
Stephen Kent Ehat #133509  
7112 North Fresno Street, Suite 140  
Fresno, California 93720  
(209) 431-6800

Attorneys for Plaintiff CITY OF COALINGA

CENTRAL VALLEY MUNICIPAL COURT, COALINGA DIVISION

CITY OF COALINGA,

Plaintiffs,

v.

COALINGA BROADCASTING COMPANY,  
INC., a California Corporation,  
dba Radio Station KKFO AM 1470,

Defendant.

CASE NO. C95000095-0

DECLARATION OF DOROTHY  
INGHAM IN SUPPORT OF MOTION  
FOR SUMMARY JUDGMENT BY  
PLAINTIFF ON PLAINTIFF'S  
COMPLAINT FOR UNLAWFUL  
DETAINER

I, DOROTHY INGHAM, declare:

1. I am competent to testify. The facts set forth herein are known to me personally and, if called to testify, I could and would testify as set forth herein. I make this declaration knowing it will be used in support of a motion for summary judgment made by plaintiff CITY OF COALINGA against defendant COALINGA BROADCASTING COMPANY, INC., a California corporation, dba Radio Station KKFO AM 1470 in that unlawful detainer action on file in the Central Valley Consolidated Municipal Court, Coalinga Division.

2. I am and at all times pertinent herein have been the Finance Director for the City of Coalinga.

3. Ever since April 1, 1995, the City has refused to accept any and all lease payments which defendant has attempted to tender, considering defendant to be nothing more than a

1 trespassing tenant illegally holding over on the premises.

2 I declare under penalty of perjury under the laws of the State of California that the foregoing  
3 is true and correct.

4 Executed this 18th day of August, 1995 at Coalinga, California.

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6 151  
7 DOROTHY INGHAM  
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## **Attachment 25**

**RECEIVED**

**JUL 03 1995**

**CITY OF COALINGA**



155 W. Duran Avenue  
Coalinga, CA 93210

Phone (209) 935-1533  
FAX (209) 935-5912

June 30, 1995

Coalinga Broadcasting Company, Inc.  
KKFO  
12550 Brookhurst Street, Suite A  
Garden Grove, CA 92640

Dear KKFO:

On June 28, 1995 the City of Coalinga received your check in amount of \$25.00 for the KKFO tower rent. I am returning your check because your lease expired February 28, 1995. If you have any questions, please contact me at (209) 935-1531.

Cordially,

A handwritten signature in cursive script that reads "Dotty Ingham".

Dotty Ingham  
Finance Director

DI/cr

Enclosure: Check #3442

cc: Russell Carlsen, Interim City Manager  
Alan Jacobsen, Public Services Director  
Dale Bacigalupi, City Attorney

EX "4"

## **Attachment 26**



City of Coalinga  
160 W. Elm  
Coalinga, CA 93210  
IRS #94-60000312  
Phone: (209) 935-1531  
Fax: (209) 935-5912

Customer #  
Date:

10027  
May 3, 1995

COALINGA BROADCASTING CO. INC.  
12550 BROOKHURST ST., #A  
GARDEN GROVE, CA 92640

CREDIT BALANCE OF \$20.60

Please detach and return this portion with your payment.

DATE	DESCRIPTION	CHARGE	CREDIT
	PREVIOUS BALANCE	14.70	
4/10	PAYMENT		-50.00
4/30	TOWER RENT	14.70	

CURRENT

30 DAYS

60 DAYS

90 DAYS

120 DAYS

AMOUNT DUE

CREDIT BILL, DO NOT PAY

-20.60



## **Attachment 9**

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 12<sup>th</sup> Street, S.W.**  
**Washington, D.C. 20554**  
**January 25, 2002**

*In Reply Refer to:*  
1800B3-TSN

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Western Pacific Broadcasting, Inc.  
c/o William L. Zawila, Esq.  
12550 Brookhurst Street  
Suite A  
Garden Grove, CA 92840

**Re: Western Pacific Broadcasting, Inc.**  
**KKFO(AM), Coalinga, California**  
**Facility ID No. 71936**  
**Application for Renewal of AM**  
**Broadcast License**  
**File No. BR-19970804YJ**

Dear Mr. Zawila:

This letter concerns an investigation into the operations of AM broadcast station KKFO, Coalinga, California, for which Western Pacific Broadcasting, Inc. ("WPBI"), of which you are the 100% owner, has filed a pending application for renewal of license, File No. BR-19970804YJ (the "Renewal Application"). Our investigation was prompted in part by a Petition to Deny ("Petition") filed by Sandra Soho ("Soho") against WPBI's renewal application for KKFO. The results of our investigation raise several questions about KKFO's operations, specifically concerning whether KKFO has operated at all since being evicted from its licensed site in 1995. The results of our investigation also raise serious questions concerning whether you lack the requisite character qualifications to be a Commission licensee or permittee.

Pursuant to 47 C.F.R. § 1.88, we are according WPBI an opportunity to submit a written statement regarding the matters discussed in further detail herein. In addition, we pose specific questions which, if not answered within 30 days of the date of this letter, may result in denial or dismissal of the Renewal Application for failure to prosecute, pursuant to 47 U.S.C. § 309(k)(3) and/or Section 73.3568(a) of the Commission's rules (47 C.F.R. § 73.3568(a)). Any statement and/or answers to these questions must be signed by an officer of WPBI under penalty of perjury. We further direct that WPBI serve a copy of its response on Soho.

**Factual Background:** We approved assignment of the KKFO license from KOLI Broadcasters, Inc. to WPBI June 10, 1985.<sup>1</sup> WPBI filed the Renewal Application August 4, 1997.<sup>2</sup>

The Renewal Application has not been granted, owing largely to your representations regarding KKFO's operational status. On September 15, 1995, you wrote the Commission to advise us that KKFO had gone off the air, due to a dispute between WPBI and the City of Coalinga (the "City") over the KKFO transmitter/antenna site, which was located at a waste treatment facility owned by the City. Subsequently, you represented that the eviction was due to "redevelopment plans for the City of Coalinga which required the KKFO(AM) site for other purposes."<sup>3</sup>

On August 9, 1996, we granted WPBI STA for 90 days to remain silent.<sup>4</sup> In the letter granting STA we cautioned that, if KKFO did not return to the air by February 8, 1997, its license would expire as a matter of law.<sup>5</sup>

On January 14, 1997, WPBI filed a request for STA to operate with reduced facilities, along with a petition for expedited consideration, owing to the imminent expiration of KKFO's license. WPBI proposed to operate from a site at coordinates 36 degrees 7 minutes 47 seconds north latitude, 120 degrees 22 minutes 30 seconds west longitude, using 60 watts effective radiated power and a special, short antenna for temporary use. We granted STA to use the reduced facilities January 22, 1997, for a 180-day period ending July 22, 1997.<sup>6</sup> Thereafter, on February 6, 1997, WPBI wrote to advise that it had returned to the air that day.<sup>7</sup> WPBI requested an extension of STA September 5, 1997;<sup>8</sup> however, since STA had already expired, we reinstated STA October 16, 1997 for a period ending April 10, 1998.<sup>9</sup> WPBI did not seek further extension of this STA until March 5, 1999, as discussed below.

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<sup>1</sup> File No. BAL-19850426FC.

<sup>2</sup> File No. BR-19970804YJ.

<sup>3</sup> Letter from William L. Zawila to Secretary, Federal Communications Commission ("Secretary"), September 11, 2000.

<sup>4</sup> Letter from Glenn Greisman, Industry Analyst, Audio Services Division, Mass Media Bureau ("Audio Services") to William L. Zawila, Esq., Ref. No. 1800B3-GDG/SML (August 9, 1996).

<sup>5</sup> The effective date of Section 403(l) of the Telecommunications Act of 1996, codified in 47 U.S.C. § 312(g) and 47 C.F.R. § 73.1740(c), was February 8, 1996, thus any station silent for twelve consecutive months from February 8, 1996 or thereafter automatically expires at 12:01 a.m. on February 9, 1997, or on the day following the 12-month period of silence. See *Implementation of Section 403(l) of the Telecommunications Act of 1996*, 11 FCC Rcd 16599 (1996).

<sup>6</sup> Letter from Stuart B. Bedell, Assistant Chief, Audio Services, to William L. Zawila, Esq. (January 22, 1997).

<sup>7</sup> Letter from George Smith, Pacific Radio Engineering, to Secretary, February 6, 1997.

<sup>8</sup> Letter from William L. Zawila, Esq. to Secretary, September 5, 1997.

<sup>9</sup> Letter from Edward P. DeLaHunt, Supervisory Engineer, Audio Services, to William L. Zawila, Esq., October 16, 1997.

WPBI filed the Renewal Application August 4, 1997.<sup>10</sup> On November 17, 1997, Sandra Soho filed a Petition to Deny the Renewal Application, alleging that she (Soho) had obtained the temporary equipment for KKFO and that, "William Zawila placed the STA operation on the air for about eight hours and then turned it off. William Zawila did not bother to inform the Commission that the station went silent again."<sup>11</sup> Then, on October 23, 1998, Soho filed a "Petition to Cancel KKRO(AM) (sic) License," repeating her allegations and further alleging that KKFO had been off the air for over twelve consecutive months, and thus that its license should have expired under 47 U.S.C. §312(g).<sup>12</sup> To date we have received no response from WPBI to Soho's allegations.

In a letter dated March 5, 1999, you (on behalf of WPBI) represented that KKFO was then silent due to "a series of acts of vandalism, sabotage, theft of equipment, and equipment failure," and requested STA using the same reduced facilities it had previously utilized.<sup>13</sup> You also represented that the previously alleged redevelopment plans for KKFO's original site had been shelved, and further stated that political changes in the city government resulted in a city council that "appears to favor" the return of WPBI to the original KKFO site.<sup>14</sup> In an amendment to WPBI's March 5 request, on March 28, 1999 you informed the Commission that KKFO had been silent since April 10, 1998.<sup>15</sup> Based upon your representations, we reinstated and extended STA April 1, 1999, with the STA to expire July 1, 1999.<sup>16</sup> We granted a further STA extension August 20, 1999, which expired November 20, 1999.<sup>17</sup> This further extension was based on your representation that KKFO had been broadcasting since April 5, 1999.<sup>18</sup>

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<sup>10</sup> BR-19970804YJ.

<sup>11</sup> Petition to Deny, ¶ 4. While Soho has not demonstrated standing to petition to deny the KKFO license renewal, typically we consider such pleadings as informal objections, and do so here.

<sup>12</sup> Petition to Cancel the License of KKRO(AM) (sic) Because the Station Was Off the Air for More Than One Year, ¶ 3.

<sup>13</sup> Letter from William L. Zawila to Secretary, March 5, 1999.

<sup>14</sup> *Id.*

<sup>15</sup> Letter from William L. Zawila to Secretary, March 28, 1999. You represented that KKFO's only broadcast activity from April 10, 1998 to March of 1999 had been equipment tests conducted April 19, April 26, and May 3, 1998. In our letter reinstating STA (see note 15, below), we informed you that equipment tests are not considered as "broadcast signals" under 47 U.S.C. § 312.

<sup>16</sup> Letter from Edward P. DeLaHunt, Supervisory Engineer, Audio Services, to William L. Zawila, Esq., April 1, 1999.

<sup>17</sup> Letter from Edward P. DeLaHunt, Supervisory Engineer, Audio Services, to William L. Zawila, Esq., August 20, 1999.

<sup>18</sup> Letter from William L. Zawila to Secretary, June 29, 1999.

Subsequently, on September 11, 2000, you wrote on behalf of WPBI to request STA with the same temporary facilities we first granted in 1997.<sup>19</sup> In your September 11 letter, you recounted meetings, during the fall of 1999 and the spring and summer of 2000, between WPBI and various officials of the City, whom you described as "enthusiastic about the prospect of returning KKFO(AM) to its permanent licensed site so that full radio service could be restored to Coalinga from KKFO(AM)." You further represented that WPBI submitted documents to the City at its request. After alleging various difficulties encountered by the City, you stated that "Western Pacific has finally obtained staff approval of its application for its conditional use permit for its site," but that additional hearings and approvals remained. Finally, you represented that KKFO was silent, having last transmitted broadcast signals November 20, 1999, but being forced off the air because of "technical problems due to vandalism."<sup>20</sup>

In a letter dated October 30, 2000, we stated that we could not reinstate STA for KKFO, due to the lapse of almost one year since it expired.<sup>21</sup> We did, however, grant new STA to permit KKFO to operate with the same reduced facilities as before through April 30, 2001, noting that KKFO would have to return to the air no later than November 20, 2000 or its license would expire as a matter of law. Our letter also contained the following admonition:

**We will closely monitor WPBA's (sic) operation under STA pending restoration of licensed operation. Failure to maintain service to the community of license pending the restoration of licensed operation may result in cancellation of STA and/or the initiation of proceedings directed toward revocation of the station's license.**  
(emphasis in original)<sup>22</sup>

Our records contain no notification from WPBI that KKFO returned to the air prior to November 20, 2000. On March 19, 2001, a Commission field agent traveled to Coalinga, California, to monitor KKFO's operation. Monitoring of KKFO's frequency, 1470 kHz, revealed that the station was not broadcasting. Inspection of the original, licensed site for KKFO showed only a building and foundation for the former antenna. Moreover, the agent visited the temporary site authorized by the STA, finding only an open grass field 20 meters north of West Lucille Avenue in Coalinga, approximately 0.3 miles west of California Highway 198. There was no antenna, transmitter, studio, or foundation of any kind at the site or within a 200-meter radius of the site, nor any evidence that broadcasting facilities had ever been located there.<sup>23</sup>

Further investigation, including interviews with officials of the City, revealed that WPBI was evicted from its licensed site in 1995 due to its failure to make required lease payments, and not due to redevelopment plans. Our agent also learned that in November of 2000, the City passed a resolution granting a conditional use permit for the construction of a radio antenna and

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<sup>19</sup> Letter from William L. Zawila to Secretary, September 11, 1999.

<sup>20</sup> *Id.*

<sup>21</sup> Letter from Edward P. DeLaHunt, Assistant Chief, Audio Services, to William L. Zawila, Esq., October 30, 2000.

<sup>22</sup> *Id.*

<sup>23</sup> The only structure within the area is a horse stable across West Lucille Avenue to the south of the site.

transmitter, but that it had had no discussions with you or other representatives of WPBI in this regard. Rather, the City had negotiated since July of 1999 with an individual named Mr. Steven Fuss, owner of 142U, Inc. One City official stated that he asked Mr. Fuss in a City Council meeting whether he had any connection with you, as the City had concerns about dealing with you after having evicted WPBI from its licensed site. According to the official, one of the conditions of leasing the site to Mr. Fuss was that he submit corporate documents showing that he had no connection or association with you.

Our field agent contacted you after his attempted site visit, and you stated to him that WPBI had been evicted by the City in 1995 because of the City's plan to build a golf course on the site. You also indicated that KKFO had operated at a temporary site under STA, but that it was not doing so, and you did not have specific dates when it operated at the temporary site. You also stated that you obtained a permit from the City to rebuild KKFO's facilities at the original, licensed site, and that they would be constructed in four to six weeks from March 21, 2001.

On March 26, 2001, an agent from our Los Angeles Field Office interviewed you at your office in Garden Grove, California, as you had told the field agent who attempted inspection of KKFO that the public file was located at your office. The agent inspected the KKFO public file in your office, but the only documents in the file dated after 1990 were a document dated July 3, 1997 concerning license renewal and a letter from the Commission regarding the grant of STA.

In the March 26, 2001 interview, you denied knowledge of the dates KKFO was on the air, as well as the identity of the owner of the site from which KKFO allegedly broadcast under STA. You further stated that the KKFO equipment was in storage in Garden Grove, California; that you did not have Emergency Alert System ("EAS") logs for KKFO; and that you had no relationship with Mr. Fuss other than that he was going to execute a local marketing agreement for KKFO and that you planned to sell the station to him within six months. You said you were aware that Mr. Fuss had received a "conditional lease permit" from the City of Coalinga to relocate KKFO at its original site. When asked where the KKFO main studio was located, you would only state that the station is not on the air.

On May 18, 2001, in response to an April 18, 2001 letter of inquiry from our San Francisco Field Office, you submitted facsimile responses to the field office. In your responses, you stated that KKFO's STA facilities consisted of "small portable equipment that was installed on and in a motorhome with its own power source," and that "[t]he main studio for KKFO(AM) was located in the motorhome and the transmission system for KKFO(AM) was located on and in the motorhome." You further stated that you had obtained permission in January of 1997 from Henry Cole, "location unknown," to use the STA site. You also attached to your response an undated Designation of Chief Operator, designating yourself as Chief Operator and signed by yourself as General Manager of KKFO. The "Radio Station KKFO" letterhead on the Designation gives the address of 12550 Brookhurst Street, Suite A, Garden Grove, California 92640, which is the address of your law office.

In your May, 2001 responses, you also stated that the KKFO public inspection file was located in KKFO's main studio at 152 E. Elm Street, Coalinga, California, until the station was

evicted from its transmitter site by the City in 1995. Thereafter, according to your response, the public file was maintained at the STA location, with a duplicate copy in your office in Garden Grove. You do not state the whereabouts of either the public file or the main studio from the time of WPBI's eviction by the City in 1995 until permission to use the STA site was granted in January of 1997.

Finally, you responded to inquiries regarding the location of KKFO's temporary equipment, and monitoring procedures and monitoring schedules for KKFO, that "[t]he KKFO(AM) STA equipment is located at 12550 Brookhurst Street, Suite A, Garden Grove, California," that the equipment "is located at the main studio where the equipment is under constant surveillance by the operator who is the same room (sic) with the equipment," and that the STA equipment "is inspected on a daily basis to be sure that it is operating within proper parameters." The wording of your responses suggests that the station is currently being operated from your office.<sup>24</sup> You also attached to your responses documents "reflecting equipment used in the KKFO(AM) STA operation." The documents attached consisted only of manuals for the purported STA antenna, antenna tuning unit, and transmitter for KKFO; you provided no evidence that this equipment was actually purchased, installed, or used.<sup>25</sup>

**Discussion:** From our investigation, we have tentatively concluded that you have made material misstatements of fact as to the following:

1. The fact that WPBI had been evicted from KKFO's original, licensed site due to the City of Coalinga's plans to redevelop the site or build a golf course there, when in fact WPBI was evicted for failure to pay rent;
2. The fact that KKFO was operating under Special Temporary Authority from February 6, 1997 to April 8, 1998, and from April 5, 1999 to November 20, 1999, when in fact a substantial and material question exists as to whether KKFO was operating at all during these periods;
3. The fact that you, on behalf of WPBI, had been in negotiations with the City of Coalinga to return KKFO to its original licensed site in 1999 and 2000, when in fact the City of Coalinga was in negotiations at that time with a third party unrelated to you;

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<sup>24</sup> To the extent that this response implies that KKFO is presently being operated from Zawila's law offices in Garden Grove, California, this would constitute unauthorized operation in violation of 47 U.S.C. § 301, as well as a further violation of 47 C.F.R. § 73.1125. However, inspection of the purported KKFO STA equipment in June 2001 showed that it was neither connected nor operating.

<sup>25</sup> Mr. George Smith of Pacific Radio Engineering ("PRE"), who was the technical consultant for WPBI's January 1997 request for STA, stated to an agent of our San Francisco Field Office that the STA antenna, which was purchased from PRE, was never paid for and never installed. Mr. Smith also stated that the antenna could not have been installed by amateurs, as it would have required a crane, and that "Henry Cole," the purported owner of the STA site, was in reality a legal assistant in your law office. Field agents from our Los Angeles office inspected what you represented as the STA equipment in your office on June 7, 2001. They were shown a transmitter, an antenna tuning unit, an approximately 30-foot telescoping antenna without ground radials (that our agents believed could be erected by two people without a crane), and a box of cable. No studio or other equipment was presented for inspection.

4. The fact that KKFO is currently operating with STA equipment located at 12550 Brookhurst Street, Suite A, Garden Grove, California, which equipment is constantly monitored by the operator, when in fact that is not a valid main studio location for KKFO and the equipment, when inspected by our field agents, was not connected or operating.

The facts set forth above indicate that KKFO was not operating for substantial periods of time during its license term without proper notification to the Commission; failed to transmit broadcast signals for over 12 consecutive months, including the period from November 20, 1999 to the present; did not maintain a properly staffed or operational main studio or public file; and that you made material misrepresentations of fact in the Renewal Application and in requests for Special Temporary Authority concerning the operation of KKFO and your efforts to restore it to full licensed operation. Moreover, the record suggests that you made material misrepresentations of fact to the Commission in your responses to inquiries by our field agents. As a result of our investigation into KKFO, we have determined that a hearing is necessary to determine whether WPBI, as licensee of KKFO, has violated the following statutes and rules:

1. 18 U.S.C. § 1001, which provides that any person making false statements knowingly and willfully on an application form for a station license is subject to a fine of \$10,000 and imprisonment of one year;
2. 47 U.S.C. § 312(a)(1), which provides that the Commission may revoke any station construction permit for false statements knowingly made either in the application or in any statement of fact;
3. 47 C.F.R. § 73.1125, which provides that an FM broadcast station shall maintain a main studio, and shall maintain a local telephone number in its community of license or a toll-free number; additionally, a radio station must maintain a meaningful management and staff presence at the main studio during regular business hours, *see Jones Eastern of the Outer Banks, Inc.*, 7 FCC Rcd 6800 (1992), *liability aff'd*, 10 FCC Rcd 3759 (1995);
4. 47 C.F.R. § 73.1800, which provides that each station shall maintain a station log as required by § 73.1820;
5. 47 C.F.R. §§ 73.1225(a) and 73.1226(a), which provide that station facilities and logs shall be made available by all broadcast stations upon request by representatives of the Commission;
6. 47 C.F.R. § 73.1740(a)(4), which provides that in the event a licensee cannot adhere to a minimum operating schedule as set forth in that section, the licensee must notify the Commission not later than the tenth day of limited or discontinued operation, and shall either notify the Commission before the 30<sup>th</sup> day of such limited or discontinued operation that the minimum operating schedule has been restored, or shall make an informal written request for such additional time as may be necessary to restore the minimum operating schedule;



7. 47 U.S.C. § 312(g) and 47 C.F.R. § 73.1750, which provide that the license of any station that fails to transmit broadcast signals for any consecutive 12 month period expires as a matter of law at the end of that period, notwithstanding any provision, term, or condition of the license to the contrary;
8. 47 C.F.R. § 73.3526, which provides that a permittee shall maintain a complete public file at the main studio of the station or at an accessible place in the community of license, which shall be available for public inspection at any time during regular business hours;
9. 47 C.F.R. § 73.1590, which requires the licensee of an AM broadcast station to make equipment performance measurements upon initial installation of a new or replacement main transmitter, and annually thereafter; and
10. 47 C.F.R. § 73.1225, which provides that the licensee of a broadcast station shall make the station available for inspection by representatives of the Commission during the station's business hours, and shall provide certain records and information to Commission representatives upon request.

**Action:** We hereby advise WPBI of its opportunity, within 30 days of the date of this letter, to submit a statement and evidence pursuant to 47 C.F.R. §§ 1.88 and 73.1015, which statement should (a) set forth, in light of the facts discussed above, why WPBI believes that its pending Renewal Application can be granted without a hearing, and (b) set forth, in light of the facts discussed above, specifically the aforementioned apparent material misrepresentations of fact, why you or WPBI should not be disqualified from being a permittee or licensee of any station regulated by the Commission due to lack of requisite character qualifications, and (c) indicate whether WPBI will prosecute its Renewal Application through the hearing process on any issues that may remain unresolved in light of its response. The statement may include such evidence and other matter that WPBI believes necessary to address the issues discussed in this letter, but at a minimum must include truthful and complete responses to the following questions and demands:


1. On what date(s) did WPBI transmit broadcast signals over KKFO, from January 1, 1995 to the present? For each period of silence during this time period, state the reason(s) for such silence, including details and documents (e.g., police reports, insurance claims, photographs of damage). For each period of transmissions, describe the facilities used for each transmission, including transmitter, transmission line, antenna, antenna location, antenna height above ground and above average terrain, transmitter specifications, transmitter output power, effective radiated power, and studio or program origination equipment, and state where the studio or other program origination facilities were located for each transmission.
2. What was the reason WPBI lost the use of its original licensed transmitter site in Coalinga, California in 1995? Describe each and every conversation or other communication between WPBI or anyone acting on its behalf and the City of Coalinga regarding the eviction, and include copies of any and all correspondence, memoranda, facsimile transmissions, electronic mail transmissions and receipts, notes, leases or other

agreements, and other documents referring or relating in any way to the transmitter site and WPBI's eviction from that site.

3. What attempts were made by WPBI to secure a permanent site for its transmitter, antenna, and studio following the 1995 loss of its licensed site? Provide details (including names, dates, photographs, correspondence/communications, proposed leases, and any and all other pertinent documents) as to inquiries, negotiations, or all other efforts made to secure a site, including any documents referring or relating to negotiations with the City of Coalinga after the loss of WPBI's original site in 1995. Your response shall include the name, current or last known address, and current or last known telephone number of all witnesses to such efforts, and all parties (including but not limited to realtors or leasing agents, property owners, or tower owners) contacted with regard to potential sites.
4. Was Henry Cole ever employed by you? State Henry Cole's current or last known address and telephone number. Also produce any and all documents, including correspondence, memoranda, electronic mail transmissions, notes of telephone calls or personal meetings, invoices, proposed leases, or any other documents that refer or relate in any way to dealings between you and Henry Cole concerning WPBI or KKFO.
5. Produce any and all correspondence, memoranda, forms, electronic mail transmissions, notes of telephone calls, or other documents that refer or relate in any way to communications between you and the Commission concerning KKFO.
6. Where was the public file for KKFO from the time WPBI acquired the station? For all time periods from WPBI's acquisition of KKFO to the present, list and describe the contents of the public file and its location. Also, produce a true and correct copy of the entire public file for KKFO.

Further action on WPBI's Renewal Application will be held pending receipt of the requested information, which should be submitted in appropriate format, in triplicate; should reference the file number for the application; should be organized *seriatim* to correspond with the item numbers; and must be signed by an officer of WPBI under penalty of perjury. Failure to respond within the time period specified may result in denial or dismissal of the Renewal Application pursuant to 47 U.S.C. § 309(k)(3) and/or 47 C.F.R. §73.3568(a).

Sincerely,



Peter H. Doyle, Chief  
Audio Services Division  
Mass Media Bureau

cc: Sandra Soho

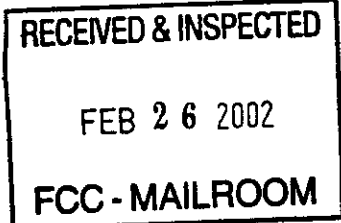
## **Attachment 10**

*William L. Zawila*  
ATTORNEY AT LAW

12550 BROOKHURST STREET  
GARDEN GROVE, CALIFORNIA 92640  
(714) 636-5040

FEB 23 2 40 PM '02  
February 22, 2002

Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554



Re: KKFO(AM), Coalinga, CA  
Western Pacific Broadcasting, Inc.  
Facility Number: 71936  
File Number: BR-19970804YJ  
Reply Reference Number: 1800B3-TSN  
Request for Additional Time to Reply to Letter of  
January 25, 2002  
Enclosed Postal Notice

Secretary:

This letter is submitted on behalf of Western Pacific Broadcasting, Inc., licensee of KKFO(AM), Coalinga, California. We are submitting this letter to request additional time to reply to the Commission's letter of January 25, 2002, regarding KKFO(AM).

We received the Commission's letter on February 5, 2002, 11 days after its date of January 25, 2002. Enclosed for the Commission's reference is a copy of the postal notice advising of the availability of the Commission's letter for pick-up on February 5, 2002 after 8:30AM. The certified mail number of the Commission's letter, 7000-0600-0029-2927-5593, is shown as the 3rd item listed on this notice.

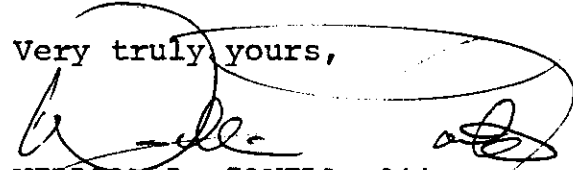
We have not had sufficient time since February 5, 2002, through this date to prepare a proper response to the Commission's letter. The Commission's letter is lengthy and raises numerous complex issues which require response.

Based on the points outlined above, we respectfully request thirty (30) additional days beyond the deadline specified in the above-referenced letter from the Commission to respond to the Commission's inquiry in this matter.

Thank you for your consideration of this matter. We are submitting this letter in triplicate.

WLZ/jc  
encl (1)  
Federal Express #: 833124841782

Very truly yours,



WILLIAM L. ZAWILA, Attorney  
for Western Pacific Broadcasting, Inc.

United States Postal Service

Sorry We Missed You! We'll Deliver for You

Today's Date

Sender's Name

2/5

Ad. Comm.

Item is at:

Available for Pick-up After

Post Office (See back)

Date: 2/5

Time: 8:30

**We will redeliver or you or your agent can pick up. See reverse.**

☒ Letter  
Large envelope, magazine, catalog, etc.

**For Delivery:** (Enter total number of items delivered by service type)

**For Notice Left:** (Check applicable item)

☐ Parcel

☐ Express Mail (We will attempt to deliver on the next delivery day unless you instruct the post office to hold it.)

☐ Registered

☐ Restricted Delivery

☒ Certified

☐ Insured

☐ Return Receipt for Merchandise

☐ Perishable Item

☐ Recorded Delivery

☐ Delivery Confirmation

☐ Other:

☐ Firm Bill

☐ Signature Confirmation

☐ If checked, you or your agent must be present at time of delivery to sign for item

Article Number(s)

700000002929275666

700000002929275586

700000002929275593

700000002929275592

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Article Requiring Payment

Amount Due

☐ Postage Due ☐ COD ☐ Customs

\$

☐ **Final Notice:** Article will be returned to sender on

Customer Name and Address

W. Zawila

17550 Brooklyn

Delivered By and Date

PS Form 3849, November 1999

102595-00-M-0892

Delivery Notice/Reminder/Receipt

1025 2 10 11 02

## **Attachment 11**

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 12<sup>th</sup> Street, S.W.**  
**Washington, D.C. 20554**  
**February 28, 2002**

*In Reply Refer to:*  
1800B3-TSN

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Western Pacific Broadcasting, Inc.  
c/o William L. Zawila, Esq.  
12550 Brookhurst Street  
Suite A  
Garden Grove, CA 92840

**Re: Western Pacific Broadcasting, Inc.**  
**KKFO(AM), Coalinga, California**  
**Facility ID No. 71936**  
**Application for Renewal of AM**  
**Broadcast License**  
**File No. BR-19970804YJ**

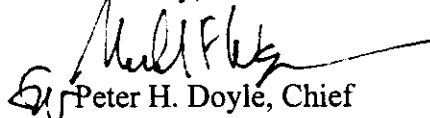
Dear Mr. Zawila:

This is in response to your letter dated February 22, 2002, in which you request an extension of time of thirty (30) days in which to respond to our letter of January 25, 2002, regarding station KKFO(AM), Coalinga, California.

Due to the apparent delay in delivery of our letter, as evidenced by the copy of the delivery notice attached to your February 22 letter, we will grant your request of an additional thirty (30) days in which to respond to our January 25 letter. Response will now be due no later than March 27, 2002.

Pursuant to 47 C.F.R. §1.46, we will not entertain requests for further extensions of time to respond except in extraordinary circumstances, supported by appropriate evidence. Failure to respond by March 27, 2002, may result in the dismissal of the above-noted Application pursuant to 47 C.F.R. §73.3568(a) or 47 U.S.C. § 312(g).

Sincerely,

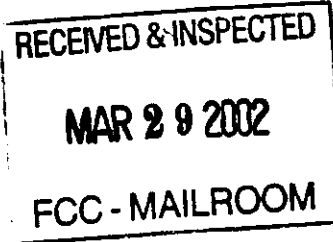
  
Peter H. Doyle, Chief  
Audio Services Division  
Mass Media Bureau

cc: Sandra Soho

## **Attachment 12**



*William L. Zawila*  
ATTORNEY AT LAW



12550 BROOKHURST STREET  
GARDEN GROVE, CALIFORNIA 92640  
(714) 636-5040

March 26, 2002

Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: KKFO(AM), Coalinga, CA  
Western Pacific Broadcasting, Inc.  
Facility Number: 71936  
File Number: BR-19970804YJ  
Reply Reference Number: 1800B3-TSN  
Request for Additional Time to Further Reply to Letter of  
January 25, 2002  
Enclosed Documents

Secretary:

This letter is submitted on behalf of Western Pacific Broadcasting, Inc., licensee of KKFO(AM), Coalinga, California. We are writing to request additional time to further respond to the Commission's letter of January 25, 2002, regarding KKFO(AM).

Since our letter of February 22, 2002, regarding this matter, we have made some progress but we have not been able to complete a proper response to the Commission's letter. This matter requires a review of almost 20 years of activities and events involving KKFO(AM) which involve numerous documents, issues, and people. This is a very complex matter and we are continuing to work on it at this time.

The Commission raises a number of issues regarding the reason that KKFO(AM) was evicted from licensed site in Coalinga, California. We submit that the Commission has received erroneous information to the effect that KKFO(AM) was evicted for non-payment of rent. Enclosed are documents which demonstrate that KKFO(AM) was not evicted for non-payment of rent. In fact, the Commission will note that rent payments were rejected by the City of Coalinga and rent money was even returned to KKFO(AM) after it was paid to the city. Enclosed is a declaration from Dorothy Ingham, City Finance Director, which was filed in litigation between the city and KKFO(AM) which clearly states that